

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

TAMARA CLIFFORD,

07-CV-126-ST

Plaintiff,

ORDER

v.

THE PRUDENTIAL INSURANCE  
COMPANY OF AMERICA and ENRON  
CORPORATION LONG TERM DISABILITY  
PLAN,

Defendants.

BROWN, Judge.

Magistrate Judge Janice M. Stewart issued Findings and Recommendation (#61) on July 22, 2008, in which she recommended this Court deny Defendant Prudential Insurance Company of America's Motion for Summary Judgment (#28); grant Plaintiff Tamara Clifford's Motion for Summary Judgment (#40); and enter a judgment awarding benefits to Plaintiff under Enron Corporation Long Term Disability Plan. The matter is now before this Court

pursuant to 28 U.S.C.

§ 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9<sup>th</sup> Cir. 1983)(rev'd on other grounds). *See also Lorin Corp. v. Goto & Co.*, 700 F.2d 1202, 1206 (8<sup>th</sup> Cir. 1983). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Stewart's Findings and Recommendation (#61). Accordingly, the Court **DENIES** Defendant's Motion for Summary Judgment (#28) and **GRANTS** Plaintiff's Motion for Summary Judgment (#40).

The Court directs Plaintiff to confer with Defendants and to submit a form of Judgment by September 8, 2008.

IT IS SO ORDERED.

DATED this 27<sup>th</sup> day of August, 2008.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge